

EXHIBIT A

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

MICHAEL FORTIN,)
Plaintiffs,)
v.) No. 07 C 7009
CITYVISTA CAPITAL, LLC, et al., a) Judge Kendall
Delaware limited liability company; and) Magistrate Judge Keys
HENRY CISNEROS, individually; and)
AMERICAN CITYVISTA HOLDINGS, LTD.,) **AFFIDAVIT OF HENRY
G. CISNEROS**

Defendants.

STATE OF TEXAS)
COUNTY OF BEXAR) ss.:

HENRY G. CISNEROS, being duly sworn, deposes and says:

1. I reside at 2002 West Houston Street, San Antonio, Texas 78207.
2. I maintain an office at 454 Soledad, Suite 300, San Antonio, Texas 78205.
3. I own no personal property in the State of Illinois.
4. I own no real property in the State of Illinois.
5. I lease no personal property in the State of Illinois.
6. I lease no real property in the State of Illinois.
7. I maintain no office in the State of Illinois.
8. I have no telephone lines in the State of Illinois.

9. I have no bank accounts in the State of Illinois.
10. I have no personal representatives or agents in the State of Illinois.
11. Except for the above-captioned case, I have never been a party to any litigation in either state or federal court in the State of Illinois.
12. I am not, and except as noted in paragraphs 46 to 68 (which deal with CityVista Capital LLC), never have been, affiliated with any company that does or did business in the State of Illinois.
13. I am not, and except as noted in paragraphs 46 to 68 (which deal with CityVista Capital LLC), never have been, affiliated with any company that is or was registered to do business in the State of Illinois.
14. I am not, and except as noted in paragraphs 46 to 68 (which deal with CityVista Capital LLC), never have been, affiliated with any company that has or had an office or facility in the State of Illinois.
15. I am not, and except as noted in paragraphs 46 to 68 (which deal with CityVista Capital LLC), never have been, affiliated with any company that owns or owned any personal or real property in the State of Illinois.
16. I am not, and except as noted in paragraphs 46 to 68 (which deal with CityVista Capital LLC), never have been, affiliated with any company that leases or leased any personal or real property in the State of Illinois.

17. I am not, and except as noted in paragraphs 46 to 68 (which deal with CityVista Capital LLC), never have been, affiliated with any company that has or had an employee in the State of Illinois.

18. I am not, and except as noted in paragraphs 46 to 68 (which deal with CityVista Capital LLC), never have been, affiliated with any company that has or had a representative in the State of Illinois.

19. I am not, and except as noted in paragraphs 46 to 68 (which deal with CityVista Capital LLC), never have been, affiliated with any company that has or had any bank account in the State of Illinois.

20. I am not, and except as noted in paragraphs 46 to 68 (which deal with CityVista Capital LLC), never have been, affiliated with any company that applied for or received any loan in the State of Illinois.

21. I am not, and except as noted in paragraphs 46 to 68 (which deal with CityVista Capital LLC), never have been, affiliated with any company that is qualified to do or is doing business in the State of Illinois.

American CityVista Holdings Ltd. f/k/a American CityVista, Ltd.

22. I am the sole owner of American CityVista Holdings Ltd. f/k/a American CityVista, Ltd. ("ACV"), a defendant in the above-captioned action.

23. ACV is an entity that is affiliated with a real estate investment fund named Pacific CityHome, LLC ("Pacific CityHome"), a Delaware limited liability company.

24. Pacific CityHome makes real estate investments which are limited to the five westernmost states: Arizona, California, Nevada, Oregon and Washington. Pacific CityHome is not authorized to make any investment in any state other than the aforementioned five states.
25. ACV does not have any other purpose except in relation to the Pacific CityHome fund.
26. ACV is organized under the laws of the State of Texas.
27. ACV's principal place of business is 454 Soledad, Suite 300, San Antonio, Texas 78205, San Antonio, Texas.
28. ACV also has an office at 454 Soledad, Suite 300, San Antonio, Texas 78205.
29. ACV is not authorized to do business within the State of Illinois in that it has not registered with the Illinois Secretary of State for such authorization.
30. ACV has no offices, telephones, employees or representatives in the State of Illinois.
31. ACV has not employed any person who, to the knowledge of ACV, during his or her period of employment, resided in the State of Illinois.
32. ACV has no bank accounts in the State of Illinois.
33. ACV has not applied for or received any loans in the State of Illinois.

34. ACV does not have any interest in any entity which is qualified to do, or is doing, business in the State of Illinois.
35. No domestic corporation of the State of Illinois, and no corporation foreign to Illinois which is qualified to do, or is doing, business in the State of Illinois, has any interest in ACV.
36. ACV holds no interest in any real property in the State of Illinois.
37. ACV holds no interest in any personal property in the State of Illinois.
38. ACV holds no interest in any other property whatsoever in the State of Illinois.
39. Other than the above-captioned litigation, ACV has never been a party to any litigation in either state or federal court in the State of Illinois.
40. ACV does not advertise in the State of Illinois.
41. ACV does not solicit business in the State of Illinois.
42. From approximately March, 2003 to June 2005 the Plaintiff in the captioned action, Michael Fortin (“Plaintiff”), was an employee or an independent contractor of ACV.
43. During the entire period in which Plaintiff was an employee or an independent contractor of ACV, Plaintiff worked from an office in Houston and, upon information and belief, resided in Texas.
44. ACV’s files and records are all located in Texas.

45. Upon information and belief, all witnesses with respect to the claims against ACV in this litigation (other than Plaintiff) reside in Texas and California; not Illinois.

CityVista Capital LLC

46. I am a member and Executive Chairman of CityVista Capital LLC (“CityVista”), a defendant in the above-captioned action.

47. CityVista is an entity that is affiliated with a real estate investment fund named the CityView America Fund I LLC (“CityView America”), a Delaware limited liability company.

48. CityVista is authorized to make real estate investments in the 45 non-westernmost states (i.e., all states except Arizona, California, Nevada, Oregon and Washington).

49. CityVista does not have, and never has had, any other purpose except in relation to the CityView America fund.

50. CityVista is organized under the laws of the State of Delaware. CityVista is also registered to do business in the State of California.

51. CityVista’s principal place of business is 10877 Wilshire Boulevard, Suite 1200, Los Angeles, California 90024.

52. CityVista also has offices at 454 Soledad, Suite 300, San Antonio, Texas 78205 and 1412 Main Street, Suite 1900, Dallas, Texas 75202.

53. From approximately March, 2005 to January, 2007, Plaintiff served as an independent contractor to CityVista. From approximately January, 2007 to June, 2007, Plaintiff served as an employee of CityVista.

54. From approximately March, 2005 to approximately June, 2007 (i.e., the time period during which Plaintiff served as an independent contractor and then employee of CityVista), CityVista maintained an office in Chicago, Illinois.

55. Plaintiff was the only individual working from CityVista's Chicago, Illinois office. The sole reason for the existence of CityVista's Chicago, Illinois office was as an accommodation to Plaintiff.

56. Except for CityVista's aforementioned former Chicago, Illinois office, CityVista does not have, and never has had, any offices or telephones in the State of Illinois.

57. Except for Plaintiff, CityVista does not have, and never has had, any employees or representatives in the State of Illinois.

58. CityVista is not authorized to do business within the State of Illinois in that it has not registered with the Illinois Secretary of State for such authorization.

59. Except for Plaintiff, CityVista has not employed any person who, to the knowledge of CityVista, during his or her period of employment, resided in the State of Illinois.

60. CityVista has no bank accounts in the State of Illinois.

61. CityVista has not applied for or received any loans in the State of Illinois.

62. No domestic corporation of the State of Illinois, and no corporation foreign to Illinois which is qualified to do, or is doing, business in the State of Illinois, has any interest in CityVista.

63. CityVista holds no interest in any real property in the State of Illinois.

64. CityVista holds no interest in any personal property in the State of Illinois.

65. CityVista holds no interest in any other property whatsoever in the State of Illinois.

66. Other than the above-captioned litigation, CityVista has never been a party to any litigation in either state or federal court in the State of Illinois.

67. CityVista does not advertise in the State of Illinois.

68. CityVista does not solicit business in the State of Illinois.

Henry G. Cisneros
HENRY G. CISNEROS

Sworn to before me this
8 day of May, 2008

Sylvia Arce-Garcia
Notary Public

